

SPEECH

43

OF

James R. Smith

MR. CHALMERS, OF MISSISSIPPI,

1831 - 1898

ON THE RESOLUTIONS

GIVING NOTICE TO GREAT BRITAIN

OF THE ABRIGATION

OF THE CONVENTION OF JOINT OCCUPANCY.

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REPORT

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MR. CHALMERS, OF MISSISSIPPI.

Mr. CHALMERS, being entitled to the floor, rose and addressed the Senate as follows :

Mr. PRESIDENT : The question before us for consideration is viewed by Senators on all sides as involving vast consequences. Whatever we may have thought of it when its recommendation was first announced in the annual message of the President, it is now manifest to you, sir, to the Senate, and the country, that wide and conflicting views are entertained here and elsewhere as to the objects expected to be attained by giving the notice to annul and abrogate the convention for the joint occupancy of the Oregon territory. For, sir, notwithstanding all who advocate giving notice proclaim to the world that it is a peace measure, the ends and objects expected and desired to be accomplished are wholly incompatible. The Senators from Ohio, (Mr. ALLEN,) Indiana, (Mr. HANNEGAN,) and Illinois, (Mr. BREESE,) tell us that they are for demanding a surrender of the whole territory up to the boundary line established with Russia, upon the parallel of $54^{\circ} 40'$; and that we have only to give the notice, demand firmly and boldly, and the whole will be peaceably surrendered. The Senator from Georgia, (Mr. COLQUITT,) and others who are for giving the notice, tell us that they vote for it with a view to expedite a settlement of the question upon principles of just and honorable compromise; and that to give the notice, and demand a surrender of the whole territory, will be tantamount to a declaration of war. Such being the state of the question, and made so by those who advocate giving the notice, it is obviously one of the gravest character; and this contrariety of opinion only the more deeply convinces me of the importance of the issues involved. None can be greater than one which involves the peace of two of the most powerful nations in the world. A question so momentous demands of us deliberation, firmness, circumspection, and decisive action. The country expects it of us, and our duty to ourselves and it, requires that we should not disappoint that just expectation.

Before proceeding, Mr. President, to say what I desire on the immediate question before us, I feel bound to notice a remark which fell from the Senator from Maine, (Mr. EVANS,) upon the subject

of our negotiation with Russia in 1824, when the boundary between that Government and ours was fixed.

The Senator referred to a portion of the diplomatic correspondence from which the injunction of secrecy has not, I believe, been removed. I hope I may have misunderstood the Senator. If I have not, a remark of his is calculated to create great misapprehension, and do infinite injury to our title to any portion of Oregon. It was this: that our negotiators in their correspondence asserted that the northwest coast was open for the occupation of all the world to settle at pleasure; and treated the title which we had derived from Spain by the treaty of 1819, with entire disrespect, and as valueless. I have looked into that correspondence, and, although I may not state the grounds assumed, I must say that, to my apprehension, they placed the matter on totally different grounds.

[Mr. EVANS said, in explanation, that he had not read from the correspondence, but had only used a newspaper paragraph, in which it was stated that our Government, in interpreting the Nootka sound convention, had placed it on the ground he had stated.]

I do not say that he quoted from the correspondence improperly. What I wish to say, is, that it was scarcely possible that our negotiators should have disregarded the Spanish title, while they were, at the very time, fixing the limits between Russia and our Government at the parallel of $54^{\circ} 40'$, up to which line our title was derived solely and entirely from Spain.

Mr. President, I listened with great attention, and, I hope, profit, to the argument, suggestions, and illustrations of the Senator from Maine, (Mr. EVANS;) and I regret—and I say so in no unkind spirit of complaint—that while suggesting difficulties in the way of our title, he should have thought it his duty to say nothing on the adverse pretensions of Great Britain. I should have been much pleased if he had done so, because, from what fell from the Senator, it is manifest that he is quite familiar with the principles of the law of nations. I should have been glad to hear so great a master of the principles of the public law, as the Senator proved himself upon the occasion, test the rights, claims, and pretensions of Great Britain, which, she contends, are “fixed and defined,” “in the text and stipulations of the Nootka Sound convention,” by the principles of the public law. Nay, further, I should have been glad if the Senator from Maine had suggested the difficulties that surround the British Government in making out her claims and pretensions, upon the known and acknowledged principles of public law, to any portion of the northwest coast of America. These pretensions are founded, not upon discovery—for so far as that is concerned, the facts are against her—but based upon occupation and settlement, which can never ripen into title or exclusive sovereignty under the Nootka convention, which fixed and defined these pretensions. This convention she has tried to interpolate into the public law, and arrogantly claims to be the law of nations, for the northwest coast of America. This position presents difficulties far more insurmounta-

ble than any suggested by the Senator to our title to any portion of the territory of Oregon. I do not propose, Mr. President, to go into the question of title; all that has been said by me on that point has been extracted by the remarks which fell from the Senator from Maine, (Mr. EVANS,) who omitted to state or notice the insuperable difficulties which Great Britain meets at every step in showing her title to any portion of the territory, and contented himself with suggesting the difficulties in our way.

Before entering upon the discussion of the question of notice, I must be permitted to submit a few remarks upon the course of the President in this whole matter. It was said by the Senator from Kentucky, (Mr. CRITTENDEN,) and the Senator from Delaware, (Mr. CLAYTON,) that the President would be held to the strictest responsibility by them; that he would "encounter a responsibility weighty enough to sink a navy," if war should grow out of this matter. Now, with all the due submission to the opinions of older and abler Senators, I may be permitted to say, that if war shall come, the responsibility of it will not and cannot rest upon the President of the United States. In all that he has said in his message, in all the measures that he has recommended, he has done what his official position required at his hands. Not only did he do that which was right in itself, but in doing it, he followed in the footsteps of his illustrious predecessors. The language employed by him is almost identical with that used by one of the most eminent of all our Secretaries of State, (Mr. Clay.) In speaking both of our own title and of the British claims, Mr. Clay uses nearly the same words. That this may not rest upon mere assertion, I will compare a few of the passages in the documents of both. The President, in his message, tells us that this "*like all the previous negotiations, was based upon principles of 'compromise;'*" that when he came into office, though "*entertaining the settled conviction that the British pretensions of title could not be maintained to any portion of the Oregon territory upon any principle of public law recognised by nations;*" yet, in "*deference to what had been done by his predecessors, and especially in consideration that propositions of compromise had been thrice made by two preceding administrations to adjust the question on the parallel of 49°,*" and notwithstanding "*the extraordinary and wholly inadmissible demands of the British government,*" and the rejection of the proposition made in deference alone to what had been done by his predecessors, and "*the implied obligation which their acts seemed to impose,*" afford satisfactory evidence "*that no compromise which the United States ought to accept can be effected.*" With this conviction, the proposition of compromise which had been made and rejected, was by his "*direction subsequently withdrawn, and our title to the whole territory asserted, and, as is believed, maintained by irrefragable fact and arguments.*"

Here we have the declaration that the President feels himself bound by the acts of those who had gone before him, as the acts of

his country, and binding upon him as its chief executive magistrate ; and in the despatch in which is made the offer of the 49th parallel as a compromise, the Secretary of State says, that "*the President does it because he felt himself embarrassed, if not committed, by the acts of his predecessors.*" As much stress has been laid on the President's claiming the whole territory, and asserting that the claims of Great Britain are extraordinary and inadmissible, I will turn to the language of his predecessors, and we shall see whether, in the use of this language, he has not been following the example of those who had handed down to him this question with the landmarks so clearly defined that he could neither mistake, misunderstand nor overleap them.

Mr. Clay, when Secretary of State, in his despatch to Mr. Gallatin, dated June 19, 1826, says :

"It is not thought necessary to add much to the argument advanced on this point in the instructions given to Mr. Rush, and that which was employed by him, in the course of his negotiation, to support our title, as derived from prior discovery and settlement at the mouth of the Columbia, and from the treaty with Spain, concluded on the 22d of February, 1819. That argument is believed to have conclusively established our title on both grounds. Nor is it conceived that Great Britain has, or can make out, even a colorable title to any portion of the northwest coast."

"*By the renunciation and transfer contained in the treaty with Spain of 1819, our right extended to the 60th degree of north latitude.*" This was Mr. Clay's opinion, officially expressed as Secretary of State, of the validity of our title to the parallel of 60°, prior to the treaty with Russia. Are there any expressions in the President's message stronger than these, either as to the invalidity of the title of Great Britain, or the validity and strength of our own to the whole territory of Oregon? In another despatch of Mr. Clay, dated February 24, 1827, in characterizing the claims of Great Britain to the territory of Oregon, he uses language almost identical with that of the President's message. He speaks of these claims as "*new and extraordinary,*" and says, "that they certainly have not yet produced any conviction in the mind of the President of the validity of the pretensions brought forward, nor raised any doubts of the strength and validity of our own title." Mr. Clay further says, in speaking of the offer of the 49th parallel, that "*it is conceived in a genuine spirit of concession and conciliation.*" He also instructs Mr. Gallatin to say that the 49th parallel "*is our ultimatum, and you may so announce it.*" When the proposition was declined, Mr. Clay directs Mr. Gallatin to declare "that the American Government does not hold itself bound hereafter in consequence of any proposal which it has heretofore made to agree to the line which has been so proposed and rejected, but will consider itself at liberty to contend for the full extent of our just claims ;" "which declaration," he says, "you must have recorded in the protocol of one of your conferences, and, to give it more weight, have it stated that it has been done by the express direction of the President."

When the proposition of compromise was rejected by Mr. Pakenham, the President directed Mr. Buchanan to withdraw it, and assert our title to the whole of the Oregon territory; and claims that "the civilized world will see in these proceedings a spirit of liberal concession on the part of the United States;" and that "this government will be relieved from all responsibility which may follow the failure to settle the controversy." Is there anything, Mr. President, in these declarations, or in the claims on the part of our government to the whole territory of Oregon, stronger or more extensive than had been made by those who preceded the President in the high office he now fills? And it must be borne in mind, sir, that these claims had not only been asserted in the despatches of our negotiators, but they had been published to the world. I ask, then, in justice to the President, if he could, consistently with the honor and dignity of the country, have claimed less, or gone further, than he has done, in "a spirit of liberal concession," to settle this controversy? What party in this country, what Senator on this floor, what President would dare go further? To have done so would have lowered our national character before the nations of the earth, and been an insult to the national pride of our own people. When the President of the United States was elevated to his present exalted station, he found himself charged with the conduct of this negotiation, involving the questions of peace and war, the lives and fortunes of twenty millions of freemen, and the honor of his country. The responsibility was fearful; and, in the language of the legislature of the State which I have the honor in part to represent, "his efforts to adjust the controversy were marked by a spirit of liberal concession, firmness, patriotism, and signal ability." In fact, sir, it was the sentiment of the whole country, and no message has ever been promulgated in my time which was received with such a universal shout of approbation. You remember, Mr. President, our pleasure in listening to the just and patriotic remarks of the distinguished Senators from North Carolina, (Mr. MANGUM,) from Virginia, (Mr. ARCHER,) and Delaware, (Mr. J. M. CLAYTON,) in the debate upon the resolutions moved by the Senator from Michigan, (Mr. CASS.) Why, sir, are we divided now, when all was harmony then? In that discussion there was not a dissenting voice in regard to the President's course upon the Oregon question. A very different opinion seems to have grown up in this discussion; new readings have been given to the President's message; and new and very different objects discovered in his recommendations. On one side, it is made a test of willingness to dis sever the Union for a Senator to avow himself in favor of compromise, and a test of patriotism to go for 54° 40'; and on the other side to be for the notice is to be for war. It is from discussions such as these that our present want of harmony proceeds. If Senators give to the message a construction which it does not warrant, surely the President is not responsible for it.

In connexion with this part of the subject, I will ask the Secretary to read the resolutions of the State of Mississippi:

Resolved by the Legislature of the State of Mississippi, That the action of the President of the United States, in his efforts to adjust the Oregon controversy, is marked by a spirit of liberal concession, firmness, patriotism, and signal ability, which meets the hearty approbation of this Legislature.

Resolved, That whilst this Legislature commends the exercise of the same spirit in subsequent negotiations, it is their deliberate opinion that every consideration of regard for human progress, the advancement of liberal principles, and the maintenance of the national honor, demands that our rights to the Oregon territory should be asserted and upheld.

Resolved, That, in the catalogue of national calamities, war is second only to national disgrace; that if the one becomes necessary to avert the other, let it come; and with the invocation of the Divine blessing upon a righteous cause, this Legislature pledges the State of Mississippi, in men and money, to support the General Government, in asserting and defending its rights to the territory of Oregon.

These resolutions, Mr. President, were not the resolutions of a party, but of the whole legislative body, irrespective of party, and were adopted with but one dissenting voice in the House, and unanimously in the Senate. From these resolutions—which are, perhaps, as true and faithful expressions of the sentiments of the people of the State as was ever given by a legislative body, I infer most clearly that they approve of the “liberal concession” which has marked the past course of the President, in his efforts to settle the Oregon controversy, and commend the exercise of the same spirit of “liberal concession” in future negotiations; and that they look upon “war as second only to national disgrace.” Concurring entirely with the legislature in these sentiments, and approving what the President has done and recommends in relation to this matter, I shall consent to nothing that will endanger the public peace, unless the honor of the country demands it at my hands. If it does, I shall move forward fearless of consequences, and the people of the State will be ready to go with me.

Mr. President, I am in favor of giving the notice, because I believe that the time has come when the Oregon question must be brought to an issue either of peace or war. I deem the giving of notice now imperiously demanded as a means of preserving peace. I am anxious that the difficulty should be settled, and the speediest possible mode is most acceptable to me. I deem it of much importance that the position of the administration should be sustained on account of its effects both at home and abroad. Our character and the spirit of our people demand it; and a failure to do so will increase the difficulty and excitement in both countries. I prefer it in its simplest form, as least embarrassing to the administration; but as I deem time of the first importance, I shall support that form which will enable the administration to give it at the earliest day. And I still indulge the hope, Mr. President, that it will be given in the same harmony which marked the discussion and vote on the resolutions of the Senator from Michigan, (Mr. Cass.) Its moral power and force will be immensely increased by the proud spectacle of a unanimous vote

of the American Senate in its favor. I, sir, shall vote steadily in favor of the notice, and if I cannot obtain it in the form most acceptable, least embarrassing, and which will enable the administration to use it most speedily, I will vote for it in any form consistent with the dignity and honor of the country, rather than it should fail. For this reason I regret the strong terms of denunciation employed by the Senator from Connecticut, (Mr. NILES,) in speaking of the amendment proposed by the Senator from Georgia, (Mr. COLQUITT.) Whatever preference I may entertain for a more simple form, there is nothing in the amendment to justify so harsh a representation of its spirit, and the expression is calculated to engender ill feelings in this chamber. The more bitterly Senators may denounce those who favor notice in a modified form, the greater the obstacles in the way of obtaining a unanimous vote; and it may endanger its passage in any form. I persuade myself that, if there shall be no indulgence of mere party feeling, no denouncing of each others views, that there will be less diversity when we come to final action upon the question. I can say with truth, sir, that I listened with pleasure to much that has fallen from our political opponents in this debate, and feel assured, if a conflict shall grow out of this controversy, that they will be as ready to sustain the rights of their country, and to meet dangers and sacrifices in her cause, as bravely and as promptly as our friends on this side of the chamber. I regret to hear denunciations from either side upon the question of giving this notice. I feel when I approach any subject, connected as this is, with the foreign relations of the country, that all party feeling should be hushed; that I should take off my shoes, for the ground I tread upon is holy. If, when the resolutions of the Senator from Michigan, (Mr. CASS) were introduced, we were all so united in sentiment, may I not still indulge the hope that by treating the question of notice with moderation and calmness, there will scarce be an objection to its passage.

But the Senators from New Jersey, (Mr. DAYTON,) and Maine, (Mr. EVANS,) said they could see no reasons for giving the notice. The Senator from New Jersey furnished one, and a very cogent one, when he moved some weeks since to postpone this question, in order to dispose of the other important business before the Senate. Since then I am sure the experienced and observant Senator from Maine must have seen many and strong reasons for disposing of this question, and giving the notice. It is certain that we have before us but two lines of policy; one is that of quietly and peaceably getting possession of the territory by the gradual course of settlement; in other words, by the "masterly inactivity" which was spread out before us the other day in all its grand and magnificent proportions, by the distinguished Senator from South Carolina, (Mr. CALHOUN,) who is its oldest, most able, and devoted advocate. If that policy could now be pursued, this measure of giving notice to dissolve the convention for the joint occupancy of the territory might be wrong. But the Senator from South Carolina, (Mr. CALHOUN,) tells us that circumstances which have occurred since 1843, render that policy

dangerous, if not impracticable ; and I say, sir, to use an expression of that Senator in reference to another matter, that time is against such a policy now. Events, Mr. President, are hurrying us forward, and we must meet them by prompt and decisive action, or the question will escape from our control ; and I appeal to the able and experienced Senator from Maine, (Mr. EVANS,) and to Senators on all sides, if they do not see in everything around them, even here, and more than all in what they hear from day to day, the most cogent reason for action, and for giving the notice. The legislation of the country, Mr. President, sleeps upon your table ; the land bills, the treasury, and the tariff bills, and all our domestic policy await the issue of this question, and (we cannot disguise it from ourselves if we wished) are dependent for their passage somewhat upon giving the notice. The business of the country is suspended, and business men stand still, and will continue to do so, while the country is filled with rumors of war. All is uncertain, and it produces anxiety and irritation, not only with our own, but the people of Great Britain, which greatly increases the chances of a hostile collision. The President of the United States having proclaimed our rights, and that the British minister has rejected the offer of a settlement upon the only line that this country will ever consent to, and recommended giving the notice as a means of asserting our just rights to the territory, the spirit of our people demands that it should at once be given. Does the experienced Senator from Maine (Mr. EVANS,) see no reason for giving the notice in the deep heavings of the public mind, which is never without cause, and can never with safety be disregarded ? The controversy about Oregon has already got into the hands of demagogues and party hacks, and been seized upon by those who would gladly use it as a disturbing element in our political contests. Every mail that leaves the Capitol is loaded down with matter calculated to inflame the public mind ; and rumors of war, reach us from every extremity of this wide spread Union. With my limited experience and narrow vision, I have seen much that leads me to entertain fears as to the preservation of peace ; and I feel assured that if this controversy is not arrested soon, it will be beyond the power of either government to stop its course. The people of both countries are proud and brave. Their governments charge each other with making demands that are unjust. Let such a question once get among the mass of the people of both countries, with their national pride roused by the discussions between them, and what power could prevent them from rushing to arms ? This, with me, is the strongest reason for going for the notice. I have felt its weight unceasingly since the commencement of this discussion. It was comparatively feeble at first, but deepened from that hour to this, and I now think that speedy action is vitally important. If we fail to give it, the arm of the government will be paralysed by our action here, and rendered less able to effect an adjustment of the controversy peaceably and honorably to the country. And should a conflict ensue, our refusal to give the notice will weaken our govern-

ment in the eyes of the world, and the President in the confidence of our people, at a time when all must look to and depend upon the strong arm of the executive department of the government for safety and protection. Surely every patriot would deplore such a result, and would leave nothing undone to prevent it.

But, Mr. President, the Senator from Maine, (Mr. EVANS,) says that he cannot vote for giving notice, unless he receives assurances that the intentions of the President are pacific, and our title to the territory to be demanded is clearly made out. After what fell from the Senator from North Carolina, (Mr. HAYWOOD,) in his able speech on this question, I had supposed that every Senator would be satisfied that, pending negotiations, it would be improper to expect or require the President to make any further disclosure of his intentions than he has made in his message and despatches upon the subject. To the territory south of the 49th parallel, the Senator from Maine admits our title may be clearly made out; to that extent our Government has long since taken its stand, and to that extent the President certainly will contend for it. Whatever I may think of the extraordinary pretensions of the British Government to title to any portion of the territory, in view of what our Government has done by treaty stipulations, running through a series of near 30 years, and in justice to British subjects who have made settlements in the territory under the provisions of those treaties, I would not demand a surrender of the whole territory. I take it that the true dignity and honor of the country, a just regard for the opinions of mankind, and to preserve the peace of the world, demands that we should settle the controversy in a spirit of liberal concession, honorable to both countries. I have a confidence myself, perhaps, not to be expected from Senators on the other side, in the pacific intentions of the President, and in his anxious desire to avoid a hostile collision between the two countries. War, sir, is no game of his; unlike the kings of the earth, who seek war to gratify their ambition, and increase their own glory, amid the blood and tears of their subjects, and the sufferings of the widow and the orphan, his true glory is in defending the honor of his country, preserving and protecting the peace, prosperity, and happiness of the people. And we have a sure guaranty in his character and past conduct in the negotiation that he will not disappoint the destiny to which his exalted station calls him. To the President, with the advice and consent of the Senate, the Constitution confides the adjustment of this controversy; and on whatever line the parties may settle, I expect to have no hesitation in agreeing, satisfied as I am that he will settle on none that will lower the stand his Government has taken.

The territorial enlargement of our beloved country, unlike that of monarchies or despotisms, has always been by peace. It was by peaceful negotiation that we obtained Louisiana, Florida, and Texas, thus more than doubling the superficies of the whole Union. And whatever line of boundary may be now designated for Oregon, that American statesman must be blind to the progress of events, who

cannot foresee, that by continued peace and prosperity, our glorious Union must go on extending her limits, until, before the close of this century, our boundaries shall extend so as to include the whole region between the Arctic ocean and the isthmus of Panama. War, which has been called the game of kings, may retard, while peace will certainly accelerate this glorious destiny. Such a territory, united in sovereign and confederate States, with every variety in soil and product, and with perfectly reciprocal free trade between all parts, would present a spectacle at which the rest of the world would first gaze in wonder, and then admire and imitate. The State which I have the honor in part to represent, may now be called the great staple State of the Union; for her exports largely exceed any other; her vital interests are inseparably united with free trade. She wants the world for a market. She was looking to the present as the auspicious moment when her long deferred hope would at length be gratified, and unrestricted commerce should bind together the nations of the globe. By a consentaneous, but not a concerted movement upon both sides of the water, her long cherished views seemed about to be consummated, when this dark cloud interposed, and threatened to substitute war, with all its momentous consequences, for peace, and unrestricted commerce. In the maintaining of a war in defence of our national honor, Mississippi will never hesitate; but she will never consent, disregarding the policy of every administration for the last thirty years, to rush madly into a sanguinary conflict, rejecting those honorable terms for adjusting the Oregon controversy which have been offered by the President of her choice, Mr. Polk, and his predecessors, from the revolutionary patriot, James Monroe, down to the present period.

A strong effort has been made in the Senate to impress the country with the belief that the President was opposed to all further negotiation, and would reject every proposition short of the surrender of the whole territory. I am not authorized to present the opinions of the President any further than they are disclosed in his message and the despatches upon the subject; but judging from them, I draw the conclusion that the views of the President have been greatly misconceived in regard to this controversy.

We have, first, the strong and decisive fact, that the President did offer the 49th parallel, notwithstanding it had been three times before offered, and rejected by the British Government; and when it was again rejected by the British minister, when offered by the President, in the very despatch in reply to that rejection, the President expressed his strong desire for peace, and that the amicable relations between the two countries might be preserved. Thus stood the case when the President communicated his message to Congress; the offer of the 49th parallel having been rejected, and no proposal made on the part of the British Government, but a requisition made upon us for a proposition more favorable to them, when the President declared in his message that "no compromise which the United States ought to accept can be effected."

He does not say that no compromise ought to be made, but simply announces his opinion upon the facts as they then existed, that no compromise would be offered that we ought to accept. It is true the President does announce in his message his opinion of the superiority of our title to the whole territory, but he had previously avowed that opinion, and had distinctly repeated it in the very despatch offering the 49th parallel as a compromise.

It is also true that the President does declare in his message that he would never consent to the surrender of the free navigation of the Columbia river; but he does not also state, in addition that he would never consent again to the 49th parallel as a compromise, but simply gives it as his opinion that no such compromise could be effected. I have no doubt the President will obtain for us the whole territory, if it is in his power; but if he cannot, and the 49th parallel should be offered to us by the British Government, or what is substantially equivalent to it, there is nothing in the message or the despatches indicating the opinion that the President, who is but a branch of the war-making and treaty-making power, will rashly reject such a proposition, which he and three of his predecessors have made—and thus most certainly involve the country in a war, which every philanthropist and patriot must believe should only be invited when every fair and honorable compromise shall have proved unsuccessful. Is the 49th parallel an honorable compromise? The President and three of his predecessors have declared that it was; and if the British ministry, governed by wiser councils, should change their opinions, or disavow the rejection made by their minister, Mr. Pakenham, who can say that the President should deprive the Senate of its constitutional right as a branch of the war-making and treaty-making power, of advising upon such a momentous question, by the unconditional rejection of such a compromise? Is the majority of the Senate, or of the House of Representatives, prepared for a declaration of war upon the rejection of such a proposition? Do they believe it ought to be rejected? If they do, why are they not making all the preparations necessary to meet the momentous issue? Why are we not increasing our army and navy? repairing our fortifications and placing our whole country in a posture for defence, as well as aggression? Above all, why are we not preparing the great armaments, naval and military, to defend the whole territory of Oregon, which is the very subject-matter of this controversy? Why are we not preparing to collect a direct tax of at least fifty millions per annum, to meet the great emergency? I cannot withhold the expression of my surprise and astonishment that all those who believe that we must insist, war or no war, upon a surrender of the whole territory, should not be found laying upon our tables, and urging from day to day the passage of bills for a direct tax, and the vast augmentation of all our naval and military defences demanded by such an occasion.

Below the 49th parallel, or what is substantially equivalent to it, no doubt the President never could consent to go, be the conse-

quences what they may. And this, I believe, is almost the universal sentiment of the country, and of every Senator in this chamber. But this is a very different position from that of rejecting all compromise and all negotiation, and involving the country in war by the mere act of the President. I know nothing of whether such an offer will be made or not; but if it should be, and the President should rashly reject it without consulting the Senate, he will, by his own mere act, involve the country in war, or the disgrace attendant upon the settlement of the question at the parallel of 49° after he has rejected the proposition.

Mr. President, do those who demand that the President of the United States shall reject the 49th parallel, reflect upon the fact, which it is believed no Senator will deny, that a majority of both branches of Congress would agree to settle the controversy at the 49th parallel. Must the President, in open disregard of the known will of one or both Houses of Congress, reject a proposition which one or both of them would accept? Even if the President, in his own individual judgment, was opposed to a settlement by the parallel of 49°, yet he could not reject such a compromise in view of the opposing opinions known to be entertained by both Houses of Congress, whose hearty concurrence and cordial co-operation he must have, if such a course should result in a hostile collision between the two countries. It is well known, Mr. President, that four-fifths of the Senators in this body, among whom are three-fourths of the President's political friends, however they may vote on the question of notice, are in favor of settling the question upon principles of compromise; and in the House of Representatives, upon a direct vote, but ten members voted against it, and, by an overwhelming majority, expressed itself in favor of further negotiation. How, then, can the President be asked or expected, in view of such conclusive circumstances, to reject all compromise and refuse all negotiation? No, Mr. President, the administration has planted itself upon that parallel as the line from which it cannot be driven; and if war comes of it, in the patriotic language of the Senator from North Carolina, Let it come; and when a proud, arrogant, and grasping enemy gives a blow at us, there will be found ready to resist aggression, one solid phalanx of the whole American people.

By the last steamer we received an extract from the letter of Sir Robert Peel, when retiring from the ministry, in which he assures her majesty that he will satisfy the King of the French that the great military and naval preparations, which have been making in England for some time past, were not intended for France, but grew out of their unsettled relations with the United States. This disclosure, coupled with the despatch of our minister, Mr. McLane, which has been laid before us, in my poor opinion, is an important fact, and calls strongly upon us to prepare for any contingency which may arise out of these unsettled relations. But, Mr. President, as I am one of the youngest and most inexperienced members of this body, surrounded by so many older, wiser, and more experienced Senators,

I will not venture to suggest what is proper to be done ; I look to them—the country looks to them—to take the proper precautionary measures.

What I have said, Mr. President, has been in the discharge of a duty I owed to myself and the people of the State I have the honor in part to represent ; differing from a few valued political friends around me, I could not, as I had wished to do, give a silent vote. Belonging as I do to that political party which has ever adhered to a strict construction of the Constitution and free trade, no one can deplore a hostile collision more than I would, and that this period which we fondly hoped was the dawn of our deliverance and liberty, should be obscured by “shadows, clouds, and darkness.”

I am not anxious to suggest that in respect to the above I look to them—(the country) looks to them—to take the proper responsibility.

What I am sure the President has been in the discharge of his duty to do, and the people of the United States have no right to say that he has not done his duty. I am sure that the President has done his duty, and I am sure that the people of the United States have no right to say that he has not done his duty. I am sure that the President has done his duty, and I am sure that the people of the United States have no right to say that he has not done his duty.